

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MILFORD SCHOOL DISTRICT et	§
al.,	§ No. 215, 2010
	§
Defendants Below-	§
Appellants,	§ Court Below—Superior Court
	§ of the State of Delaware
v.	§ in and for Kent County
	§ C.A. No. K09C-06-021
JANE DOE #2,	§
	§
Plaintiff Below-	§
Appellee.	§

Submitted: April 14, 2010

Decided: April 20, 2010

Before **STEELE**, Chief Justice, **JACOBS** and **RIDGELY**, Justices.

ORDER

This 20th day of April 2010, it appears to the Court that:

(1) The defendants-appellants have jointly petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from the Superior Court’s interlocutory ruling on March 16, 2010 denying their motion to dismiss the complaint of the plaintiff-appellee, Jane Doe #2, on jurisdictional grounds.

(2) On April 14, 2010, the Superior Court refused to certify an interlocutory appeal to this Court pursuant to Rule 42 on the ground that the criteria of Rule 42(b) have not been met.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances.¹ We have examined the Superior Court's March 16, 2010 decision according to the criteria set forth in Rule 42. In the exercise of its discretion, this Court has concluded that such exceptional circumstances as would merit interlocutory review of the decision of the Superior Court do not exist in this case.

NOW, THEREFORE, IT IS ORDERED that the within interlocutory appeal is REFUSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice

¹ Supr. Ct. R. 42(b).